

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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IN RE INTEL CORPORATION	)	
MICROPROCESSOR ANTITRUST	)	MDL No. 05-1717-JJF
LITIGATION	)	
	)	
ADVANCED MICRO DEVICES, INC. and	)	C. A. No. 05-441-JJF
AMD INTERNATIONAL SALES &	)	
SERVICE, LTD.,	)	DM No. ____
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
INTEL CORPORATION and INTEL	)	
KABUSHIKI KAISHA,	)	
	)	
Defendants.	)	
PHIL PAUL, on behalf of himself and all others	)	C. A. No. 05-485-JJF
similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
INTEL CORPORATION,	)	
	)	
Defendant.	)	

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**CERTIFICATION OF JAMES M. PEARL IN SUPPORT OF  
ADVANCED MICRO DEVICES, INC.,  
AMD INTERNATIONAL SALES & SERVICE, LTD. AND CLASS PLAINTIFFS'  
REQUEST TO COMPEL INTEL CORPORATION AND INTEL KABUSHIKI KAISHA  
TO PRODUCE DOCUMENTS AND RULE 30(B)(6) TESTIMONY RELATING TO  
INTEL'S DOCUMENT PRESERVATION PRACTICES IN PRIOR LITIGATIONS**

I, James M. Pearl, make this certification pursuant to Local Rule 7.1.1 and state that the following efforts and exchanges have been made by Advanced Micro Devices, Inc., AMD International Sales & Service, Ltd., and Class Plaintiffs (collectively "Plaintiffs") to reach agreement with Intel Corporation and Intel Kabushiki Kaisha (collectively "Intel") on the subject of the accompanying letter brief:

1. On September 25, 2007, during a meet and confer with Daniel Floyd, Richard Levy, and Carol Silberberg, all counsel for Intel, I asked whether Intel would produce documents relating to its document preservation practices in other litigations. Mr. Floyd and Mr. Levy both indicated that Intel would not do so.

2. On October 4, 2007, Intel reconfirmed this position in its Supplemental Responses and Objections to Plaintiffs' Notice of Taking Deposition and Request for Production of Documents ("Intel's Supplemental Responses"). Attached as Exhibit A is a true and correct copy of that document.

3. On November 8, 2007, I sent a letter to Mr. Levy seeking clarification on Intel's Supplemental Responses. With respect to the topics concerning Intel's document preservation practices in prior litigations, I wrote, "We have negotiated on these Deposition Topics for several months, and consider the parties at an impasse. We intend to bring them to the attention of the Special Master at the earliest available opportunity." Attached as Exhibit B is a true and correct copy of that letter.

4. On November 21, 2007, in response to my letter of November 8, Mr. Levy again confirmed that Intel would not provide documents or testimony relating to its practices in other litigations. Specifically, Mr. Levy stated, "Intel stands on its Supplemental Responses to these topics." Attached as Exhibit C is a true and correct copy of that letter.

Dated: January 3, 2008

Respectfully submitted,

By:   
James M. Pearl  
O'MELVENY & MYERS LLP

*Attorney for Plaintiffs Advanced Micro  
Devices, Inc. and AMD International Sales  
& Service, Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and have sent by Hand Delivery to the following:

Richard L. Horwitz, Esquire  
Potter Anderson & Corroon, LLP  
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I hereby certify that on January 3, 2008, I have sent by Federal Express the foregoing document to the following non-registered participants

Darren B. Bernhard, Esquire  
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*/s/ Chad M. Shandler*  
\_\_\_\_\_  
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